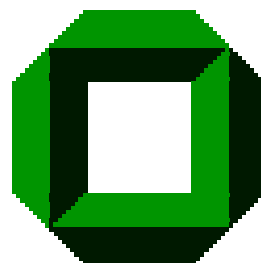


INSERM/INIST-CNRS/ICSTI  
Free access to technical and scientific information:  
state of the art and perspectives

# The legal framework

Prof. Dr. Thomas Dreier, M.C.J.

Institute for Information Law  
University of Karlsruhe



Prof. Dr. DREIER

Libre accès à l'information

23 January 2003

# Overview

---

- The legal framework for the protection of information
- TPM and DRM
- Business and financing constraints
- Conclusion



# The legal framework for the protection of information

---

- Exclusive rights granted to create non-public goods
- Control to secure economic reward, not to exclude
- The *sui-generis* database right
- The problem: sole source products and control strategies

# TPM and DRM

---

- Initially: „The answer to the machine is in the machine“
- Future: basis for product diversification and price discrimination
- Problem: effective legal anticircumvention protection
- Effects of „lock-in“

# Business and financing constraints

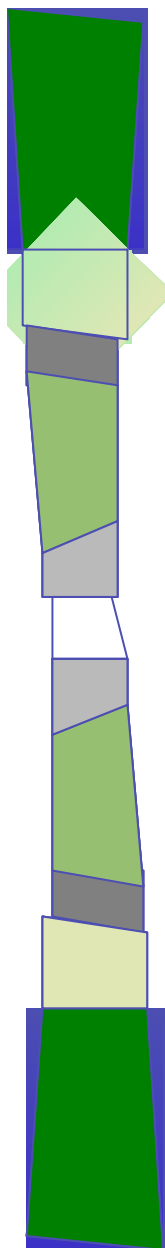
---

- „Downward spiral“:  
Budget constraints force to sell access which in turn increases cost for buying access which in turn increases budget constraints
- Solution to the „hen-and-egg-problem“:  
start somewhere

# Conclusion

---

- Current problems are much less the result of an ever-increasing legal protection than of an information policy which is largely influenced by technology and economic concerns of global players
- Copyright should neither be held responsible for, nor burdened with, unsolved issues of information policy

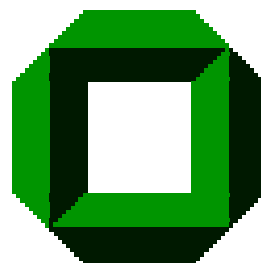


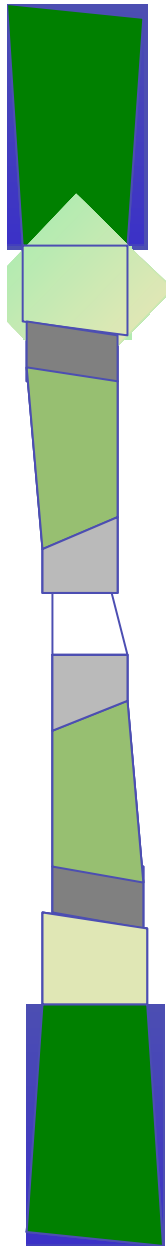
INSERM/INIST-CNRS/ICSTI  
Free access to technical and scientific information:  
state of the art and perspectives

# The legal framework

Prof. Dr. Thomas Dreier, M.C.J.

Institute for Information Law  
University of Karlsruhe





INSERM/INIST-CNRS/ICSTI  
Free access to technical and scientific information:  
state of the art and perspectives

# The legal framework

Prof. Dr. Thomas Dreier, M.C.J.

Institute for Information Law  
University of Karlsruhe